

PAID VACCINATION LEAVE NOW OFFICIALLY LAW IN BRITISH COLUMBIA

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In our article of April 19, 2021, we reported that the British Columbia government introduced Bill 3 which, if passed, would amend the British Columbia *Employment Standards Act*, R.S.B.C. 1996, c.113, to provide for a paid leave for vaccination purposes.

On April 27, 2021, Bill 3 received Royal Assent and is now law in British Columbia. The amendments are retroactive to April 19, 2021, which means it applies to all vaccine leaves requested from April 19, 2021 onwards.

The amendments entitle an employee to paid leave for up to 3 hours for each COVID-19 vaccination. The amendments also provide that, while an employer can ask for “reasonably sufficient proof” that an employee is entitled to paid vaccination leave, the employer cannot require an employee to provide a medical note from a medical practitioner, nurse practitioner or registered nurse to support the request for paid leave.

The legislation sets out a formula for determining an employee’s average hourly wage for the purposes of determining the wages an employee is entitled to for the vaccine leave. The formula takes into account the wages earned over 30 calendar days preceding the leave, less any amounts paid for overtime.

A copy of Bill 3 can be seen [here](#).

If you have any questions about how these amendments impact your business, please reach out to us.

by [Dianne Rideout](#) and [Michelle McKinnon](#)